



MICHIGAN INDIGENT
DEFENSE COMMISSION

Compliance Reporting Instructions

REVISED – JANUARY 2021

The attached guide discusses reporting requirements, instructions and tips for compliance reporting in the following three sections:

1. Compliance Reporting Template
2. Long Term IT Solutions
3. Interim Tips for JIS Users

Although local funding units are ultimately responsible for submitting all required information to the MIDC, we recognize that courts play a crucial role in the implementation and demonstration of compliance with standards. As such, many of these suggestions are directed at courts in the hopes of providing some guidance about this partnership.

Please reach out to the MIDC's Research Unit with any questions. We are happy to help brainstorm creative solutions to any obstacles in the compliance reporting process. You can reach us at:

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COMPLIANCE REPORTING TEMPLATE

Local funding units are required to complete and submit a progress report to the MIDC at the end of every reporting period in accordance with the dates specified in their grant agreement. One component of the progress report is the compliance reporting template. This template asks local systems to provide specific numbers regarding caseloads and filings, among other things. The compliance reporting questions ask for some information that is housed within the court, and local funding units may need to partner with courts for assistance in completing the template. This portion of the document provides guidance as to how local systems can ascertain the information required for the compliance reporting template related to:

- (I) Counsel at First Appearance
- (II) New Filings and Appointments
- (III) Experts and Investigators
- (IV) General Reporting Questions

The document does not cover every piece of information required for compliance reporting but does discuss the components that require daily tracking. At the end of the quarter, you will enter this information into the Obsurvey link that has been provided to you:

<http://obsurvey.com/survey/MIDC-FY21-Quarterly-Program-Report>

The screenshot shows a web form titled "MIDC FY21 QUARTERLY PROGRAM REPORT". The form includes a header with instructions: "Please make sure you have read the INSTRUCTIONS for completing this form and you have all of the necessary information to complete this program report. You will NOT be able to save this form and return to it later. This report is being completed for the following time frame:". Below this are four radio button options for quarters: Quarter 1 (Due January 31, 2021), Quarter 2 (Due April 30, 2021), Quarter 3 (Due July 31, 2021), and Quarter 4 (Due October 31, 2021). The form then has five text input fields: "Name of person completing this quarterly report", "Title of person completing this quarterly report", "Direct phone number for person reporting", "Email address for person reporting", and "MIDC Region (your system/funding unit should appear below)". The region options are radio buttons for Western Michigan, Lapeer, Macomb, Oakland, St. Clair Counties, Mid-Michigan, and Wayne County.

Compliance Reporting Template

(revised as of January 2021)

A. Counsel at First Appearance

Total number of arraignments conducted: _____

Of this total:

- Number of arraignments represented by retained counsel: _____
- Number of arraignments represented by appointed counsel: _____
- Number of arraignments conducted pro per:
(Defendant invoked right of self-representation) _____
- Number of arraignments where counsel was absent:
(Arraignment proceeded without counsel even though counsel was not waived) _____
- Other (please explain): _____

Number of pleas by mail/taken at the counter: _____

(No appearance before a judge or magistrate)

Number of cases where the defendant waived arraignment _____

(Not just waived reading or failure to appear)

Number of cases resolved or dismissed prior to arraignment _____

(with assistance of arraignment attorney)

B. Assignments

Total number of new adult criminal case filings in this reporting period: _____

Of this total, number with assigned counsel (post-arraignment): _____

C. Investigators and Expert Witnesses

Total number of appointed cases in which an investigator was used this reporting period: _____

Total number of appointed cases in which an expert was used this reporting period: _____

I. Counsel at First Appearance

All compliance reporting questions on Counsel at First Appearance are tied directly to Standard 4 and are concerned only with **representation at arraignment**--not with representation at other stages. The "total number of arraignments conducted" is the sum of whether defendants at each arraignment were represented by retained counsel, represented by appointed counsel, invoked their right of self-representation, or had no counsel due to counsel's absence. Pleas by mail/at the counter, waived arraignments, and cases dismissed before arraignment with the assistance of the arraignment attorney are counted separately, as no actual arraignment is conducted.

As an illustration, if a local system conducted 200 arraignments during the first reporting period, the breakdown may look like the example below. Once Standard 4 has been fully implemented, the "Counsel Absent" column should be zero. During the transition to compliance with the standards, the MIDC recognizes that instances of arraignments without counsel might occur, however, local systems should work to minimize these occurrences.

Total number of arraignments conducted:	200
<i>Of this total:</i>	
• Number of arraignments represented by retained counsel:	36
• Number of arraignments represented by appointed counsel:	162
• Number of arraignments conducted pro per: (Defendant invoked right of self-representation)	2
• Number of arraignments where counsel was absent: (Arraignment proceeded without counsel even though counsel was not waived)	0
• Other (please explain):	0
Number of pleas by mail/taken at the counter: (No appearance before a judge or magistrate)	41
Number of cases where the defendant waived arraignment: (Not just waived reading or failure to appear)	9
Number of cases resolved prior to arraignment: (with the assistance of the arraignment attorney)	0

Counsel at First Appearance FAQs

- **Do the arraignment questions refer to all types of arraignments, including in custody arraignments, court scheduled arraignments, and walk in arraignments?**

Yes, all types of arraignments should be tracked.

➤ **Should Circuit Courts also track the same data on arraignments or should they only track arraignments for probation violations?**

Circuit Court should track all arraignments, including arraignments for probation violations. Regardless of the word or phrase that your court uses to refer to this hearing (such as a “status conference,” “arraignment on the information,” “PV arraignment,” etc.), this data point refers to the first appearance in Circuit Court.

If your court does written waivers for every arraignment as standard practice, then please count the first appearance in your court as your “arraignment” (this would likely be the pretrial). If the arraignment is only waived in some cases, then please report the actual arraignment and the number of waivers in the appropriate categories. Feel free to reach out to MIDC staff for additional clarification on any unique practices.

➤ **If a defendant has multiple case numbers relating to a single event or ticket for arraignment, does it count as a single arraignment or do I list the number of individual cases? For example, if a ticket has three misdemeanors on it (for instance, DWLS, Expired Plate and No Insurance), do I report this as one arraignment or three arraignments?**

You should report this as a single arraignment. Please make sure that this is recorded accurately in your case management system. *If you use a case management system that uses a different record for every count, please make sure to only record it as a single arraignment, which may mean attaching an arraignment code to only one of the counts.* More information on this is provided below in the general questions section.

If a defendant is arraigned simultaneously on multiple distinct cases, then each case would count as its own arraignment.

➤ **If a defendant doesn’t show up for their arraignment, do I count that as an arraignment?**

If a defendant does not show up, this should not be recorded as an arraignment.

➤ **If a defendant waives their arraignment, do I count that as an arraignment?**

If only the reading of the charges is waived, not the arraignment proceeding itself, this would fall into one of the following four categories: retained counsel, appointed counsel, pro per, counsel absent. If there is a formal waiving of the arraignment itself, either on the record or by mail if your court allows, then this falls under waived arraignment. If the defendant pleads by mail or at the counter, this is recorded under “plea by mail/counter plea.”

- **How would an indigent defense administrator know the number of arraignments conducted by retained counsel or the number of waived arraignments or pleas by mail? Why do you need to know this?**

This information will need to be provided by the court, since the court is the only entity that has access to these numbers. Without the number of arraignments conducted by retained counsel, we cannot calculate the percentage of arraignments handled by appointed counsel, which is a critical data point for our agency and your funding.

- **If my system screens for eligibility for court-appointed counsel before arraignment and a defendant is determined to be ineligible, where would I count that defendant for the purposes of arraignment?**

If the defendant had retained counsel, you would count it under “retained.” If the arraignment proceeded with no counsel, you would count it under “counsel absent.” If the defendant chooses to waive the right to counsel and represent themselves, you would count it under “in pro per.”

II. New Filings and Appointments

The New Filings and Appointments questions are concerned with appointed representation at **stages other than arraignment**. These questions require the total number of new *case filings* (adult, criminal) during a given reporting period as well as the total number of new *appointed cases*. All numbers should reflect representation at the end of the reporting period, when the system runs the final report. The MIDC does not consider cases handled by arraignment attorneys as “assigned” until they are given to a permanent attorney or house counsel. Please see the following example of how these numbers may appear.

Total number of new adult criminal case filings in the reporting period?	400
Of this total, number with assigned counsel (post-arraignment)?	350

The financial status reporting template also requires a spreadsheet detailing all appointed attorneys working in the local system and the number of new case assignments accepted by each during the reporting period. This should be provided in the Excel table with the following columns: attorney name, P Number, the number of new adult criminal indigent defense assignments in the reporting period, and the total paid to each attorney on adult criminal indigent defense cases in the reporting period. If an attorney is on the roster but has not accepted any new cases, they should still be included with a “0” under new assignments. For example:

Attorney Name	P Number	Number of New Assignments in Reporting Period	Total Paid to Attorney in Reporting Period
Zadie Williams	P88562	9	\$3465
Ikraam Ahmed	P88462	5	\$2650
Sheila O'Connor	P79412	1	\$250
Jane Smith	P10816	0	0

New Filings and Appointments FAQs

- **What is the difference between “total number of new adult criminal case filings” and “number with assigned counsel?”**

The first question, “number of new case filings,” refers to the total number of new *adult criminal cases* that are filed in your system during the reporting quarter. *Please do not include cases that are not in adult criminal court.* District Courts should count every new case filing and probation violation. Circuit Courts should count every new case filing and probation violation as well, including the ones that were bound over from District Court.

The second question refers to the number of these new filings that are assigned to a court appointed attorney. In most systems, this refers to appointments made AFTER

arraignment, so we recognize that the numbers tracked for arraignments will not match up directly to the number of new filings and appointed cases. Your system might have 400 new filings in a quarter, and of those 400, 350 were assigned to court appointed counsel. It does not matter which court made the assignment; rather, the question only asks whether each defendant in your court is being represented by appointed counsel.

➤ **Are filings and appointments counted by case or by count?**

We ask that you follow the SCAO guidelines on counting cases. Please see Appendix A for the excerpted guidelines.

➤ **What counts as an “appointment” or “assignment”?**

A case is considered “appointed” once it is assigned to the attorney who will remain with the case for the remainder of the proceedings post-arraignment.

➤ **If there is a guilty plea at arraignment and sentencing is scheduled for another day with assigned counsel, should this case include a “COPD” code (ie, does it count as “assigned”)?**

Yes, assuming that this is considered an “assignment” by your court. If it is just handled by House Counsel at sentencing and not actually assigned, please see the answer below on House Counsel models.

➤ **How should Circuit Courts report the number of assignments and payments for each attorney? If the assignment is made in District Court, do we still report it in our numbers? Or do we only report new assignments that we make? How should this be handled when District and Circuits are combined?**

Each system will handle this differently between District and Circuit Courts, but it is imperative that assignments and payments are not double counted. If attorney John Smith is assigned a case in District Court that gets bound over to Circuit Court, either the District Court OR the Circuit Court should report that assignment but not both – since the attorney is only carrying a single case and not two separate cases.

➤ **In the attorney chart above, does the total amount paid to an attorney refer to work that is completed within the reporting period? Or payments made during the reporting period?**

For this particular chart, you should report the total paid out to the attorney in the reporting period, regardless of when the work was completed.

- **Should attorneys who are not part of the typical appointed list be included in the chart if they receive an appointment?**

Yes, everyone who receives a case should be on this list.

- **Should we track cases in which counsel is denied?**

If you have the capacity to track these numbers and want to report them to us that is helpful; however, we will not be asking for these until a more detailed case management system is available.

- **Should we track substitutions of counsel?**

Down the road, we will be interested in this data point but until there is a more systematic case management system in use, we recognize that it will be hard to track this information.

III. Experts and Investigators

The questions on Experts and Investigators address the number of cases in which either expert assistance or investigative assistance is utilized. The two questions are as follows:

Total number of appointed cases in which an investigator was used this reporting period?	51
Total number of appointed cases in which an expert was used this reporting period?	14

In some instances, it can be difficult to distinguish between investigative assistance and expert assistance. Please use your judgment to place each instance in the most appropriate category.

If a case has multiple experts, please count that as a single instance of expert assistance. As an example, if defense counsel hired two expert witnesses in Quarter 1, that would count as a single case in which an expert was used, since we are counting the number of CASES in which assistance was utilized, not the number of EXPERTS. If defense counsel hires another expert witness in Quarter 2, that still counts as just a single case in which expert assistance was utilized, so there is no need to recount that case; you have already reported it in Quarter 1.

If your case management system records each count as its own record, please make sure that you only assign the expert or investigator code to a single one of the counts, so it does not appear that a single use of an expert or investigator is actually multiple uses.

IV. General Questions

➤ **Will indigent defense administrators get access to JIS?**

Each local system will handle this differently. Some indigent defense administrators may get access to enter information into JIS, others may only have viewing rights, and others will not receive access. If you have access, the MIDC can work with you to retrieve the necessary information. If you do not have access, the MIDC can help you set up other ways to collect the data.

➤ **Do I fill out separate forms for Circuit Court and District Court?**

In our current online entry system, you will be prompted to enter information for both circuit and district courts. It is only a single survey, but there are separate fields within the form to fill out for each court.

➤ **How do I fill out information if the recommended JIS codes weren't being used yet?**

To the best of your ability! If you were not tracking this information from the beginning of the quarter, it will be very difficult to pull it at the end of the quarter. Please get in touch with us if you need assistance implementing more comprehensive tracking.

➤ **My case management system has a new record for each count, but you want me to track by case. How should I do that?**

For whichever data point you are tracking, it is essential that you only code events as happening once per case. For example, let's say you have a case with three different counts, and your case management system records those in three separate lines: 19-88915A, 19-88915B and 19-88915C. If you indicate that an expert witness was utilized on each of these records, when you run the report at the end of the quarter, it will count this as three separate experts. *To avoid this, we suggest putting the relevant code only on record A.*

LONG-TERM IT SOLUTIONS

Gathering comprehensive information from individual systems for the compliance reporting templates is an **interim solution**. Eventually, the MIDC plans to collect as many categories of data as possible directly through the Judicial Data Warehouse (JDW) as well as through databases maintained by indigent defense administrators. In order to facilitate long term, standardized solutions, we are asking courts to start entering the following information for every case, **in addition to the information necessary to complete the compliance reporting templates**:

- **Attorney Type (A: appointed; other letters as available in the specific CMS)**
- **Attorney Name**
- **Attorney P Number**

The above information does not need to be entered at the time of arraignment, only for subsequent proceedings (pre-trials, etc.) once an attorney has been officially assigned.

Where possible, we ask for the cooperation of courts in beginning to utilize these data fields in your CMS. We are happy to help brainstorm the most effective ways to track these fields in your specific system.

*Similar to suggestions on other data points throughout this document, we recommend that you only put the appointed code on a single count for each case (in case management systems that utilize multiple records per case) so that it only is counted as a single instance of court appointed counsel.

INTERIM SOLUTIONS USING JIS

While we are working on a long-term solution with the State Court Administrative Office and building data capacity in local systems, we have developed tips specifically for JIS users who are partnering with their funding units to collect the necessary quarterly information. The strategies described below will help during this interim period and reduce the need for manual counting.

Please direct all questions on retrieving the information described in this document to the Research Unit at the MIDC. For questions specific to JIS, please contact Christopher Sadler, Research Associate, at 517-657-3241 / csadler@michiganidc.gov. You may also find useful tips on the mechanics of your respective case management system in the JIS knowledge base at <https://mijis.courts.michigan.gov>.

Three- and Four-Character Codes

As noted earlier, the Attorney Type codes will be used for future reports through the JDW (in some systems or versions of systems, this only includes the letter A-appointed; in other systems, it may include additional codes such as R-retained or W-waived). For now, reports can be built using three- or four-character codes assigned to an activity or event, depending on your version of JIS.

There are a series of suggested four-character codes used throughout this tip sheet. The specific codes are suggestions and not requirements and can be replaced with any three- or four-character code if your system already utilizes a recommended code. *Prior to assigning a code, court systems should check to make sure the code is available.* Questions on Counsel at First Appearance, New Filings, and Experts and Investigators rely on these codes.

As noted above, please make sure that you are only recording the codes once for each case, not once for each count. In case management systems that track each count as a separate record (typically district courts), we suggest attaching the relevant codes only to the first count.

We recognize that local systems track information using a variety of case management systems. In what follows, we present some recommendations for how JIS users might track these data points to assist their local funding units in compliance reporting. The suggestions relate to the following three areas:

- (I) Counsel at First Appearance
- (II) New Filings and Appointments
- (III) Experts and Investigators

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JIS                                REPORT GENERATION SELECTION          5/15/06   09:35:12

Disposition      - _____      Close Date      _____
Xreference       _____      Probation Officer _____
CTN              _____      SID              _____
Warrant Code     _____      Next Action     _____
Warrant Date     _____      Next Date      _____
Recall Date      _____      Next Judge     _____
Arraignment      _____      Non-Public     _____ Delayed
Sex _____ Race _____      Deferred       _____
Disposed Date    _____      Sentence Date   _____
Disposed Code    _____      FAC Date       _____
Plea Date        _____      Rehab          _____
Plea Code        _____      Prob End Date   _____
Suspension       _____      Probation Term  _____
Suspension Days  _____      Jail Term      _____
Restriction Days _____      Optional Jail Term _____
Community Service _____      Jail Location   _____
Service in Lieu  _____      Restitution     _____
P Event Date     01/01/YR - 03/31/YR      P Event Code    CORT
Event Term       _____      Event Clerk     _____
Immob Start Date _____      Immob Days      _____ Veh Forfeit
Paper Plate      _____ VIN _____      Vehicle Make    _____ Veh Year
F24-Previous Menu                                Page/Roll                                Help

2nd screen of Case Selection report generator

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JIS
5/11/04 15:22:43

Traffic/Criminal Report Generator

☒ Save Report ? Enter Report Name Name Report

☐ Number of Spaces ?

☐ 8 x 11 Paper ?

☒ Summary Only ?

F24 Previous Menu
Help

Report Generator Save/Print screen

2. Next, run a report for all cases with court appointed counsel. This is done similarly to step 1, however the *Event Code* used is COAP.
3. Next, run a report for all cases in which defendants invoked their right to self-representation. This is done similarly to step 1, however the *Event Code* used is COPP.
4. Next, run a report for all cases with no counsel present. This is done similarly to step 1, however the *Event Code* used is COAB.
5. The total of the previous four answers is the TOTAL of arraignments conducted.
6. Finally, to answer the final two questions, run reports similar to those above for all cases with pleas by mail (COPL) and then for all cases where arraignment was waived (COWV).

II. New Filings

To complete this table, systems can create and insert the following code for every case with appointed counsel:

- **COPD** (refers to any case in which defendant is represented by appointed counsel following arraignment)

NOTE: if a defendant is represented by a court appointed attorney and then substitutes retained counsel, "COPD" should be removed from the defendant's record for accuracy

Using the code above, complete the following steps:

1. Run a report for all new case filings within the reporting period.

The DCS report screen will look like:

JIS REPORT GENERATION SELECTION 5/15/06 09:31:01

Title _____

Case Number _____ PIN Number _____

Name _____ Address _____

Case Type _____ Victim/Desc _____

Status _____ Offense Date _____

PD Judge _____ Offense Time _____

Judge of Record _____ Issue Date _____

Venue _____ Birthdate _____

Phone Number _____ Authorize Dt _____

Driver License _____ DLN State _____ CDL _____

Attorney _____ Appointed _____ Entry Date _____

Prosecutor _____ Vehicle Type _____

Agency #1 _____ Agency #2 _____

Officer #1 _____ Officer #2 _____

Accident/Injury _____ Plate# /Year _____

Zip Code _____ Plate# State _____

Original Charge _____ Current Charge _____

Original SOS _____ Current SOS _____

Original Att/Cons/Sol _____ Current Att/Cons/Sol _____

Total F & C _____ Balance Due _____

Civ/Misd/Fel _____ P Filing Date 01/01/YR - 03/31/YR

CCW # _____

F24-Previous Menu Page/Roll Help

1st screen of Case Selection report generator

To find the total number of records returned, on the Report Generator Save/Print screen place an 'X' in front of "Save Report and then name the report. Also place an 'X' in front of "Summary Only." This provides the total number of new filings in the quarter.

2. Next, run a report for all new case filings with court appointed counsel within the reporting period. The date range will be added in the "Event Date" portion, on page 2. This provides the total number of appointed cases.

The DCS report screens will look like:

JIS		REPORT GENERATION SELECTION		5/15/06 09:31:01	
Title _____					
- Case Number	_____	- PIN Number	_____		
- Name	_____	- Address	_____		
- Case Type	_____	- Victim/Desc	_____		
- Status	_____	- Offense Date	_____		
- PO Judge	_____	- Offense Time	_____		
- Judge of Record	_____	- Issue Date	_____		
- Venue	_____	- Birthdate	_____		
- Phone Number	_____	- Authorize Dt	_____		
- Driver License	_____	- DLN State	_____	CDL	_____
- Attorney	_____	- Entry Date	_____		
- Prosecutor	_____	- Vehicle Type	_____		
- Agency #1	_____	- Agency #2	_____		
- Officer #1	_____	- Officer #2	_____		
- Accident/Injury	_____	- Plate# /Year	_____		
- Zip Code	_____	- Plate# State	_____		
- Original Charge	_____	- Current Charge	_____		
- Original SOS	_____	- Current SOS	_____		
- Original Att/Cons/Sol	_____	- Current Att/Cons/Sol	_____		
- Total F & C	_____	- Balance Due	_____		
- Civ/Misd/Fel	_____	- P Filing Date	01/01/YR - 03/31/YR		
- CCW #	_____				
F24-Previous Menu		Page/Roll		Help	

1st screen of Case Selection report generator

JIS		REPORT GENERATION SELECTION		5/15/06 09:35:12	
- Disposition	_____	- Close Date	_____		
- Xreference	_____	- Probation Officer	_____		
- CTN	_____	- SID	_____		
- Warrant Code	_____	- Next Action	_____		
- Warrant Date	_____	- Next Date	_____		
- Recall Date	_____	- Next Judge	_____		
- Arraignment	_____	- Non-Public	_____	Delayed	_____
- Sex	_____	- Deferred	_____		
- Race	_____	- Sentence Date	_____		
- Disposed Date	_____	- FAC Date	_____		
- Disposed Code	_____	- Rehab	_____		
- Plea Date	_____	- Prob End Date	_____		
- Plea Code	_____	- Probation Term	_____		
- Suspension	_____	- Jail Term	_____		
- Suspension Days	_____	- Optional Jail Term	_____		
- Restriction Days	_____	- Jail Location	_____		
- Community Service	_____	- Restitution	_____		
- Service in Lieu	_____	- P Event Code	COPD		
- Event Date	01/01/YR - 03/31/YR	- Event Clerk	_____		
- Event Term	_____	- Immob Days	_____	Veh Forfeit	_____
- Immob Start Date	_____	- Vehicle Make	_____	Veh Year	_____
- Paper Plate	_____	- VIN	_____		
F24-Previous Menu		Page/Roll		Help	

2nd screen of Case Selection report generator

As a reminder, this set of questions pertain only to **counsel at stages other than arraignment**. As a result, defendants' records may include only a code from arraignment or may include a code for both arraignment and a subsequent appointment. For example, defendant Christopher Sadler may have retained counsel at arraignment, meaning he is assigned the code CORT. During the course of the proceedings, Christopher loses his job and asks for counsel to be appointed. Since Christopher will be represented by appointed counsel for the remaining stages of his case, COPD is added to his JIS record. Christopher's JIS record would therefore have both CORT and COPD codes.

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JIS                                REPORT GENERATION SELECTION          5/15/06  09:35:12

Disposition      - _____      Close Date      _____
Xreference       _____      Probation Officer _____
CTN              _____      TCN              _____      SID              _____
Warrant Code     _____      Next Action    _____
Warrant Date     _____      Next Date     _____
Recall Date      _____      Next Judge    _____
Arraignment      _____      Non-Public    _____      Delayed
Sex              _____      Race          _____      Deferred         _____
Disposed Date    _____      _____      Sentence Date    _____
Disposed Code    _____      _____      FAC Date         _____
Plea Date        _____      _____      Rehab           _____
Plea Code        _____      _____      Prob End Date    _____
Suspension       _____      _____      Probation Term   _____
Suspension Days  _____      _____      Jail Term        _____
Restriction Days _____      _____      Optional Jail Term _____
Community Service _____      _____      Jail Location    _____
Service in Lieu  _____      _____      Restitution      _____
P Event Date     01/01/YR - 03/31/YR      P Event Code     AINV
Event Term       _____      Event Clerk      _____
Immob Start Date _____      _____      Immob Days       _____
Paper Plate      _____      VIN              _____      Veh Forfeit     _____
F24-Previous Menu _____      _____      Vehicle Make     _____      Veh Year        _____
F24-Previous Menu _____      _____      Help             _____

2nd screen of Case Selection report generator

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APPENDIX A: COUNTING CASES

Circuit Court¹

A criminal case is counted as a new filing when a bindover is received for filing (it is reported filed based on the bindover date, not the filing date), an order waiving a juvenile from family division to criminal division is received for filing, or a case is received by your court after transfer from another court because of change of venue; do not include cases transferred for purposes of trial only.

- Count a high court misdemeanor as a felony.
- A felony complaint may contain multiple charges against one defendant; do not count multiple charges in one complaint as separate cases. If a prosecuting official has filed multiple complaints for multiple offenses arising out of one incident by one defendant, consolidate the complaints into one case and count as one case.
- A complaint may contain both felony and misdemeanor charges in the same complaint; count as a felony.
- A criminal complaint should be filed against one defendant; each defendant shall be counted as one case. If a prosecuting official has filed a single complaint against more than one defendant, each defendant must be counted as a separate case.

District Court²

A felony criminal case is counted as a new filing when a complaint is received for filing or a when case is received by your court after transfer from another court because of change of venue; do not include cases transferred for purposes of trial only.

- Count a high court misdemeanor as a felony.
- A felony complaint may contain multiple charges against one defendant; do not count multiple charges contained in one complaint as separate cases. If a prosecuting official has filed multiple complaints for multiple offenses arising out of one incident by one defendant, consolidate the complaints into one case and count as one case.
- A complaint may contain both felony and misdemeanor charges in the same complaint; count as a felony.
- A criminal complaint should be filed against one defendant; each defendant shall be counted as one case. If a prosecuting official has filed a single complaint against more than one defendant, each defendant must be counted as a separate case. When a case is dismissed to allow for filing of a second complaint for a lesser included offense, do not count the second complaint as a new filing. Do not count enhancements as a new filing.

A misdemeanor criminal case is counted as a new filing when a complaint or citation is filed or a case is transferred to your court because of change of venue; do not include cases transferred for purposes of trial only.

- A misdemeanor complaint may contain multiple charges against one defendant; do not count multiple charges in one complaint as separate cases. If a prosecuting official has filed multiple complaints for multiple offenses arising out of one incident by one defendant, consolidate the complaints into one case and count as one case (this does not apply to a citation).
- If the charging document is the Uniform Law Citation, each of the 3 parts is considered a separate complaint, and each complaint contains a single charge. Each charge shall be counted as a separate case.
- A misdemeanor offense with a penalty over 93 days shall not be filed on a Uniform Law Citation.
- A complaint may contain both misdemeanor and felony charges in the same complaint; count as a felony.
- A criminal complaint should be filed against one defendant; each defendant shall be counted as one case. If a prosecuting official has filed a single complaint against more than one defendant, each defendant must be counted as a separate case.

¹ <https://courts.michigan.gov/education/stats/reporting-materials/Documents/CircuitCourtReportingInstructions.pdf#search=Case%20counts>

² <https://courts.michigan.gov/education/stats/reporting-materials/Documents/DistrictCourtReportingInstructions.pdf#search=Case%20counts>